

REMARKS

Applicants would like to extend their sincere thanks to the Examiner for conducting a telephone interview on May 3, 2001. The following remarks address the issues raised in the Office Action and during the interview.

Applicants have amended Claims 1, 19 and 35. No other claims have been amended. Currently in the above-identified application therefore are Claims 1-65.

The Examiner rejected Claims 1-47 under 35 USC § 112, first paragraph. Reconsideration and withdrawal of the rejections are respectfully requested.

In particular, the Examiner rejected Claims 1 and 35 and their dependent claims because the claims call for "a latching mechanism disposed on each opposing wall," whereas the specification and drawings shows the latching mechanism on only two walls, rather than on all four walls. Accordingly, Applicants have amended Claims 1 and 35 to recite that the latching mechanisms are disposed on each opposing side wall, as approved by the Examiner.

In addition, the Examiner rejected Claim 19 and its dependent claims because the claim calls for "at least one of the walls having first and second portions." As noted during the interview, the specification discloses that a wall may have "a front portion 11F, a rear portion 11R and a channel portion 11C disposed between front and rear portions 11F, 11R." (Specification, p. 4, lines 10-12.) Accordingly, the specification discloses the first and second portions. Therefore, no further amendment is necessary.

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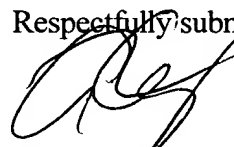
B&D No. TN-1631

Applicants have also amended the phrase in Claim 19, which reads: "the latching mechanism comprising a latch and a button disposed on the second portion." As approved by the Examiner, Applicants added a comma between "latch" and "and a" to separate the latch element from the location "disposed on the second portion," since the location phrase applies to the button. Applicants note that, while the latch may be disposed on the second portion, it does not need to be. Similarly, Applicants have amended Claims 1 and 35 to separate the location phrase from the "latch" element, as approved by the Examiner.

No fee is believed due. Nevertheless, the Commissioner is authorized to charge payment of any fees due in processing this amendment, or credit any overpayment to Deposit Account No. 02-2548.

In view of the foregoing, all the claims are patentable and the application is believed to be in condition for formal allowance. Reconsideration of the application and allowance of Claims 1-65 are respectfully requested.

Respectfully submitted,



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Attachment for Claim Amendments

The following is a marked up version of each amended claim in which underlines indicates insertions and brackets indicate deletions.

1. (Amended) A battery pack comprising:

a housing comprising opposing side walls;

a plurality of cells disposed within the housing;

at least two terminals electrically connected to the cells;

a latching mechanism disposed on each opposing side wall for latching the battery pack to a cordless device, each latching mechanism comprising a latch, and a button disposed on the wall for moving the latch between unlatching and latching positions, the latching buttons being disposed along a first plane, the first plane being substantially vertical;

wherein number of cells disposed along the first plane is smaller than number of cells disposed along a second plane substantially parallel to the first plane.

19. (Amended) A battery pack comprising:

a housing comprising opposing walls, at least one of the walls having first and second portions, the first and second portions comprising substantially non-coplanar surfaces, the housing being dissected by a center plane;

a plurality of cells disposed within the housing;

at least two terminals electrically connected to the cells;

a latching mechanism disposed on the housing for latching the battery pack to a cordless device, the latching mechanism comprising a latch₂ and a button disposed on the second portion for moving the latch between unlatching and latching positions;

wherein distance between the second portion surface and the center plane is smaller than distance between the first portion surface and the center plane.

35. (Amended) A battery pack comprising:

a housing comprising a floor and opposing side walls connected to the floor, at least one wall having first and second portions;

a plurality of cells disposed within the housing;

at least two terminals electrically connected to the cells;

a latching mechanism disposed on each opposing side wall for latching the battery pack to a cordless device, each latching mechanism comprising a latch₂ and a button disposed on each wall for moving the latch between unlatching and latching positions, the latching buttons being disposed along a first line located at a first distance from the floor;

wherein distance between the latching buttons along periphery of the housing is smaller than distance between two points along periphery of the housing, the two points being contained within a second line parallel to the first line and located at the first distance from the floor and in the first portion.